Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay. The examiner has indicated that the case contains allowable subject matter.

The priority papers were filed with the original application papers and their receipt was acknowledged in the above-mentioned Examiner's Action. The undersigned hereby reiterates the priority claim made in the earlier-filed Declaration.

Claims 7, 9, and 11, which depended directly from independent claim 1, have been found to contain allowable subject matter. Accordingly this amendment places the subject matter of original independent claim 1 into each of claims 7, 9, and 11, making them independent and allowable, along with claim 10 depending from claim 9.

As there are now four independent claims in the case, a PTO-2038 covering the extra-claim fee for one extra independent claims is enclosed herewith.

Claim 1 has been amended to distinguish the space defined between the inner and outer walls, which is filled with concrete, and the space inside the inner wall, which is used to hold the fuel

elements. The claim also specifies that the walls are metallic and that the cover and floor close at least the outer space. Finally the claim clarifies that the tubes in the outer space bear inward and outward "with radial prestress" on the inner and outer walls. The tubes are described as plainly shown in the drawing as being "axially open and radially closed."

The instant invention is aimed at a fuel-element storage/transport container that can, once it reaches the location where it will remain for the rest of its very, very long service life, be stripped down to its inner container. This is possible according to the invention because the tubes merely "bear" radially on the inner and outer walls; they are not welded to them as in the prior art. Thus the outer wall can be stripped off, then the concrete and tubes can be stripped off the inner wall, with no damage to this inner wall. In fact in practice the tubes themselves are not filled with concrete, but only the space between them, so that when the container needs to be stripped, the concrete mass comes off in pieces and, once the outer shell is removed, the concrete and heat-conducting tubes are easily taken off the inner wall.

What is more, the system of this invention is particularly easy to manufacture. The inner and outer walls are first fitted together. Then the tubes are fitted into the annular space between them, normally while deformed to reduce their radial

dimensions so that when released they are prestressed against the inner and outer walls. Thus no complex welding step is needed, nor is the tricky job of fitting an annular meander strip required.

US patent publication 2002/0003851 of Pennington describes a storage container where inner and outer spaces are formed between a pair of concentric walls, but where both spaces are used for fuel elements 150. There is nothing resembling the tubes of this invention with the space between them filled with a mass. In fact a "flow channel 140" is provided that is intentionally kept empty so a heat-exchange medium can be flowed through it. The fuel elements 150 between the outer wall 116 and inner wall 114 are hardly the heat-dissipating tubes of this invention, in fact they will generate heat. Neither are these elements 150 bearing in radial prestress; instead they are simply dropped into place and as shown in FIG. 2 fit loosely, not in the claimed "surface contact."

Thus Pennington lacks critical features, e.g. the filler mass and the surface contact, so that a §102 rejection is impossible. As there is no suggestion to replace the elements 150 in the outer space with heat-conducing tubes, and to fill the space around them, a §103 rejection is similarly out of the question.

In US patent 4,488,048 of Bienek the element 71 shown in FIG. 24 are not laterally closed, but are C-shaped. There is no

"metallic" outer wall either, nor is the space between the inner wall and outer wall filled with a mass; instead the mass is the outer wall. Thus a §102 rejection on this reference is also impossible as critical elements of claim 1 are not seen. Since there is no suggestion in either Bienek or Pennington to fill the space between the inner and outer walls with a mass, a §103 rejection is similarly impossible even on the combined teachings of these references.

Finally, US patent 3,780,206 of Anderson is even further afield of the instant invention than Bienek or Pennington. Nothing resembling axially open and radially closed tubes is shown in this reference either. In fact this reference represents a good example of the admitted prior art. No valid §102 or §103 rejection is possible on this reference.

For these reasons all the claims in this case are in condition for allowance and the application is ready for passage to Issue. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this

case, the examiner is invited to call the undersigned to make the necessary corrections.

Respectfully submitted,
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Enclosure: PTO-2038 (1 extra ind. claim)